

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THOMAS ROBERT HELMAN, : Civil No. 1:21-cv-1058
Plaintiff, :
v. :
GARRETT GLASSER, :
Defendant. : Judge Sylvia H. Rambo

O R D E R

AND NOW, this 12th day of January, 2022, upon consideration of Magistrate Judge Arbuckle's Report and Recommendation (Doc. 13) wherein he recommends that the complaint be dismissed for failure to pay the filing fee or file a new Motion for Leave to Proceed *In Forma Pauperis*, and noting that no objections to the Report and Recommendation have been filed, the court finds that no clear error exists on the record and therefore ORDERS as follows:

- 1) The Report and Recommendation (Doc. 13) is ADOPTED;
- 2) The complaint is DISMISSED WITHOUT PREJUDICE due to Plaintiff's failure to pay the filing fee or file a new Motion for Leave to Proceed *In Forma Pauperis*;
- 3) The motion to appoint counsel (Doc. 3) is DENIED AS MOOT;
- 4) The Clerk of Court is DIRECTED to close this case; and
- 5) Any appeal taken from this order is deemed frivolous and not in good faith.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge